

## CullenCollimore pllc

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BRIAN J.S. CULLEN  
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May 28, 2013

Fred Runyon, pro se  
Inmate #86769  
NH State Prison for Men  
281 North State Street  
P.O. Box 14  
Concord, NH 03302-0014

**Re: Fred Runyon v. FNU Lee, Nashua Police Detective, et al.  
Civil Action No.: 12-CV-290-PB**

Dear Mr. Runyon:

Enclosed please find interrogatories to be answered by you and returned to this office within 30 days pursuant to court rules. Please be sure to also complete the releases attached.

Please feel free to contact me if you have any questions or concerns regarding this matter.

Very truly yours,



Brian J.S. Cullen

Enclosures

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW HAMPSHIRE

_____	:	
Fred Runyon	:	
	:	
Plaintiff	:	
v.	:	
	:	Civil Action No. 12-CV-290-PB
City of Nashua, et al.	:	
	:	
Defendants	:	
_____	:	

**INTERROGATORIES PROPOUNDED BY THE DEFENDANT, CITY OF NASHUA,  
TO BE ANSWERED BY THE PLAINTIFF, FRED RUNYON. UNDER OATH**

NOW COMES the Defendant, City of Nashua, by and through its attorneys, CullenCollimore, pllc, and pursuant to Federal Rule of Civil Procedure 33, requests that the Plaintiff answer in writing and under oath the following Interrogatories within thirty (30) days:

**INSTRUCTIONS AND DEFINITIONS**

The following constitute interrogatories propounded by the Defendant to be answered by the Plaintiff, under oath, and request the production of specific documents. All answers must be full and complete and must contain all facts and evidence which substantiate the answer as it is given and which you would present to the Court. If there are any documents which substantiate any answer, please refer to such document and attach a copy of it or them to your answers.

These interrogatories seek answers as of the date hereof but shall be deemed to be continuing so that any additional information relating in any way to these interrogatories which you acquire or which become known to you, up to and including the time of trial shall be furnished to defendant promptly after such information is acquired and becomes known.

Unless specifically indicated, or otherwise required by the context in which the terms or, names below are used:

A. You, your, and yourself refer to the Plaintiff and any of your agents, representatives, attorneys, employees, and/or any individual or entity acting on your behalf or under your control and also includes any party who has, or may have, custody, possession and/or control of any documents requested herein.

B. Defendant or Defendants means and includes all Defendants as the context requires, unless otherwise indicated.

C. "Document" or "documents" shall comprise, without limitation, all written, printed, typed, or other graphic matter; all electronically-stored information which is capable of being read, retrieved, printed-out, or otherwise accessed; and all printouts and runoffs now, or at any time, have been in your possession, custody or control, or known to you, whether or not prepared by you. "Document" or "documents" includes, but is not limited to, all communications, correspondence, agreements, memoranda, reports, records, notes, diaries.

NOTE: Any copy, draft or working paper of any of the above documents which differ in any fashion from the original document being produced, shall be produced as a separate document.

Any request for documents seeks all documents in the care, custody or control of the plaintiff or which are in the care, custody or control of plaintiff's agents, employees, attorneys (except for privileged information), consultants, experts, families, relatives or otherwise.

A. "Oral Communication" or oral communications shall mean all oral, visual, or other sensory means of transmitting information, including through a document or documents, and also including, but not limited to, face-to-face conversations, acts, speech, conduct, events or happenings and telephonic and other electronic or mechanical means of transmitting information, messages, or statements.

B. "Written Communication" shall mean a letter, note memorandum, telegram, mailgram, telex, electronic correspondence (including but not limited to "e-mail"), internet communication, text, electronic "chat," or other document.

C. "Concerning" means concerning, regarding, referring to, relating to, describing, evidencing or constituting.

D. "All" means each, all and any.

E. "Any" means and includes any, all and each.

F. "Each" means each, all and any.

G. "And/or" shall be construed either disjunctively or conjunctively so as to bring within the scope of the interrogatory all answers which might otherwise be construed to be outside its scope.

H. "Injury" or "Injuries", unless otherwise designated in the interrogatory, means physical, mental or emotional injury.

I. The "incident" means the actions upon which your complaint is based.

J. All singular terms shall include the plural and all plural terms shall include the singular.

K. All masculine terms shall include the feminine and all feminine terms shall include the masculine.

L. If any document is withheld or not identified under claim of privilege, furnish a list of all such documents for which a privilege is claimed, together with the following information with respect to each document: (1) date; (2) author; (3) sender; (4) receiver(s), including all copied and blind copied; (5) persons to whom copies were furnished; together with their job titles; (6) the subject matter of the document; and (7) the basis on which the asserted privilege is claimed.

**NOTE: THE ABOVE DEFINITIONS ARE AN INTEGRAL PART OF THESE INTERROGATORIES, AND THE PLAINTIFF IS CALLED UPON TO INCORPORATE FULLY THOSE DEFINITIONS WHEN ANSWERING EACH OF THE INTERROGATORIES BY INCORPORATING IN THOSE ANSWERS EACH OF THE ITEMS OF INFORMATION SET FORTH IN THE DEFINED TERMS.**

THESE INTERROGATORIES ARE DEEMED CONTINUING TO THE EXTENT ALLOWED BY THE FEDERAL RULES OF CIVIL PROCEDURE.

1. Please state your full name and date of birth.

ANSWER:

2. Please state:

- A. The name and address of each of your employer(s) from 2008 to the present;
- B. The dates of your employment with each;
- C. A detailed description of your duties for same;
- D. The name of your immediate supervisor or other person for each employer who would have the most knowledge of your work experience for each job described;
- E. Your average gross weekly wage and net weekly wage.
- F. The reason you terminated your employment with such employer.

ANSWER:

3. Please describe fully and in complete detail all of the injuries which you claim to have sustained in the incidents alleged in your complaint. In answering this interrogatory, reference to your complaint will not suffice as a complete answer unless you have no knowledge or information responsive to this interrogatory in addition to that which is contained in the complaint.

ANSWER:

4. Please describe fully and in complete detail how you sustained the injuries described in response to the above interrogatory.

ANSWER:

5. Please describe fully and in complete detail how each incident occurred and how the conduct of the Defendant, as you claim it to be, caused you to sustain the injuries described in the response above.

ANSWER:

6. Please describe all medical treatment, including but not limited to mental health treatment, you have received as a result of the injuries you claim were caused by the incident including:

- a. The name of the doctor or practitioner giving the treatment or performing the procedures;
- b. The name and location of the hospital or medical facility where you were treated;
- c. The date(s) of each treatment or medical procedure;
- d. Any instructions, medications, and medical aids prescribed or given to you in the course of your treatment;
- e. If you claim that you will incur medical expenses in the future because of the physical injuries you allegedly sustained, please describe the nature and amount of the anticipated expenses and the reason for the same.
- f. Attach hereto a complete copy of all documents prepared by any individual or facility identified at A above. Alternatively attach hereto a signed and dated authorization running to that person(s) or the facility at which that person treated you.

ANSWER:



7. If you have made claims for any benefits against any other person, corporation, or other organization, including the federal government, any state government, or any of their agencies, as well as any health or accident insurers, for any injuries you allege you incurred in the last 10 years, please state:

- A. Name and address of each such person, corporation, or other organization;
- B. The date of such claim/application;
- C. The injury or condition for which each such claim was made; and
- D. Whether you have received any payment as a result of your claim to date and, if so, the amount of said payment, the date the payment was received, and attach hereto copies of all documents related to the claim or payment.

ANSWER:

8. If you are claiming that you lost wages or that you incurred any financial losses or damages whatsoever as a result of the incident and/or the injuries you allegedly suffered, please state:

- A. The item and amount you claim;
- B. The name and address of the loss at issue;
- C. The period during which you claim to have incurred such loss;
- D. The calculation which you used to arrive at this figure;
- E. Attach hereto any and all documents which support your claims of financial loss or damages.

ANSWER:

9. Please provide a complete list of your criminal convictions from 2003 to the present. Please provide the following information for each conviction:

- A. The date of conviction;
- B. The offense for which you were convicted;
- C. The name and location of the court in which you were convicted;
- D. Whether you were convicted after a trial or pled guilty as part of a plea bargain;
- E. If you were convicted following a trial, whether you testified in the trial;
- F. Whether you were represented by a lawyer and if so, the name and address of the lawyer;
- G. The sentence imposed as a result of the conviction;

ANSWER:

10. Please identify each time you have been arrested or detained by a law enforcement officer. Please provide the following information for each arrest or detention:

- A. The date of arrest or detention;
- B. The reason for the arrest or detention;
- C. The name and location of the police department or law enforcement agency;
- D. The results of the arrest or detention;
- E. If you were prosecuted as a result of the arrest or detention, the name and location of the court in which you were prosecuted;
- F. If you were represented by a lawyer, the name and address of the lawyer;
- G. Whether you testified in any hearing or trial as a result of the arrest or detention;
- H. Please provide a copy of all records or documents in your possession related to any such arrest or detention.

ANSWER:

11. Please identify any and all witnesses and persons of whom you are presently aware that have any information related to any of the allegations contained in your complaint or the facts related to your arrest or claims. As to each such person please provide the following information:

- A. The name, address, telephone number and occupation of each such person;
- B. A detailed description of the information which you understand said person possesses as it relates to any of the allegations contained in your complaint;
- C. Please indicate whether, to your knowledge, any of the named persons have provided a statement regarding your allegations or the facts related to your arrest or claims. If so, please indicate to whom the statement was made, including the name and address of the individual, and when the statement was given; and
- D. Please provide a copy of any statement obtained from said person(s) or a detailed summary of the testimony expected from each.

ANSWER:

12. Please identify each expert you intend to call as a witness in this case. In regard to each such expert, please provide the following information:

- A. The name, residential and business addresses of each expert identified;
- B. Provide a detailed description of the subject matter and opinions regarding which each expert is expected to testify;
- C. Provide the substance of all facts to which each expert is expected to testify and the opinions which he/she is expected to offer based upon those facts;
- D. Attach a copy of each expert's curriculum vitae or resume detailing his/her experience, education, background and training; and
- E. Attach a copy of any written reports which have been prepared by each expert.

ANSWER:


Respectfully submitted,

CITY OF NASHUA

By its Attorneys,

CullenCollimore, pllc


Dated: May 28, 2013

By:   
\_\_\_\_\_  
Brian J. S. Cullen  
NH Bar # 11265  
10 East Pearl Street  
Nashua, NH 03060  
(603) 881-5500  
[bcullen@cullencollimore.com](mailto:bcullen@cullencollimore.com)

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing has been submitted for service via first class mail to Fred Runyon, *pro se*, NH State Prison for Men, 281 North State Street, P.O. Box 14, Concord, NH 03302-0014

Dated: May 28, 2013

  
\_\_\_\_\_  
Brian J.S. Cullen

Dated: \_\_\_\_\_

\_\_\_\_\_  
Fred Runyon

STATE OF NEW HAMPSHIRE  
COUNTY OF \_\_\_\_\_

Personally appeared before me on \_\_\_\_\_, 2013 the undersigned officer, the above-named individual, \_\_\_\_\_, and made oath that the foregoing statements are true to the best of her knowledge and belief.

\_\_\_\_\_  
Justice of the Peace/Notary Public